

Senate File 2279 - Reprinted

SENATE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2080)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing health, nutrition, and cardiopulmonary
2 resuscitation certification requirements for students, school
3 districts, and accredited nonpublic schools, and providing an
4 effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 1 Section 1. SHORT TITLE. This Act shall be known and may
1 2 be cited as the "Healthy Kids Act".
1 3 Sec. 2. Section 256.7, Code Supplement 2007, is amended by
1 4 adding the following new subsection:
1 5 NEW SUBSECTION. 29. Adopt rules establishing nutritional
1 6 content standards for foods and beverages sold or provided on
1 7 the school grounds of any school district or accredited
1 8 nonpublic school during the school day exclusive of the food
1 9 provided by any federal school food program or pursuant to an
1 10 agreement with any agency of the federal government in
1 11 accordance with the provisions of chapter 283A, and exclusive
1 12 of foods sold for fundraising purposes and foods and beverages
1 13 sold at concession stands. The standards shall be consistent
1 14 with the dietary guidelines for Americans issued by the United
1 15 States department of agriculture food and nutrition service.
1 16 Sec. 3. Section 256.9, Code Supplement 2007, is amended by
1 17 adding the following new subsections:
1 18 NEW SUBSECTION. 57. Convene, in collaboration with the
1 19 department of public health, a nutrition advisory panel to
1 20 review research in pediatric nutrition conducted in compliance
1 21 with accepted scientific methods by recognized professional
1 22 organizations and agencies including but not limited to the
1 23 institute of medicine. The advisory panel shall submit its
1 24 findings and recommendations, which shall be consistent with
1 25 the dietary guidelines for Americans published jointly by the
1 26 federal department of health and human services and department
1 27 of agriculture if in the judgment of the advisory panel the
1 28 guidelines are supported by the research findings, in a report
1 29 to the state board. The advisory panel may submit to the
1 30 state board recommendations on standards related to federal
1 31 school food programs if the recommendations are intended to
1 32 exceed the existing federal guidelines. The state board shall
1 33 consider the advisory panel report when establishing or
1 34 amending the nutritional content standards required pursuant
1 35 to section 256.7, subsection 29. The director shall convene
2 1 the advisory panel by July 1, 2008, and every five years
2 2 thereafter to review the report and make recommendations for
2 3 changes as appropriate. The advisory panel shall include but
2 4 is not limited to at least one Iowa state university extension
2 5 nutrition and health field specialist and at least one
2 6 representative from each of the following:
2 7 a. The Iowa dietetic association.
2 8 b. The school nutrition association of Iowa.
2 9 c. The Iowa association of school boards.
2 10 d. The school administrators of Iowa.
2 11 e. The Iowa chapter of the American academy of pediatrics.
2 12 f. A school association representing parents.
2 13 g. The Iowa grocery industry association.
2 14 h. An accredited nonpublic school.
2 15 i. The Iowa state education association.
2 16 NEW SUBSECTION. 58. Monitor school districts and

2 17 accredited nonpublic schools for compliance with the
2 18 nutritional content standards for foods and beverages adopted
2 19 by the state board in accordance with section 256.7,
2 20 subsection 29. School districts and accredited nonpublic
2 21 schools shall annually make the standards available to
2 22 students, parents, and the local community. A school district
2 23 or accredited nonpublic school found to be in noncompliance
2 24 with the nutritional content standards by the director shall
2 25 submit a corrective action plan to the director for approval
2 26 which sets forth the steps to be taken to ensure full
2 27 compliance.

2 28 Sec. 4. Section 256.11, subsection 6, Code Supplement
2 29 2007, is amended to read as follows:

2 30 6. a. A pupil is not required to enroll in either
2 31 physical education or health courses, or meet the requirements
2 32 of paragraph "b" or "c", if the pupil's parent or guardian
2 33 files a written statement with the school principal that the
2 34 course or activity conflicts with the pupil's religious
2 35 belief.

3 1 b. (1) All physically able students in kindergarten
3 2 through grade five shall be required to engage in a physical
3 3 activity for a minimum of thirty minutes per school day.

3 4 (2) All physically able students in grades six through
3 5 twelve shall be required to engage in a physical activity for
3 6 a minimum of one hundred twenty minutes per week. A student
3 7 participating in an organized and supervised athletic program
3 8 or non-school-sponsored extracurricular activity which
3 9 requires the student to participate in physical activity for a
3 10 minimum of one hundred twenty minutes per week is exempt from
3 11 the requirements of this subparagraph.

3 12 (3) The department shall collaborate with stakeholders on
3 13 the development of daily physical activity requirements and
3 14 the development of models that describe ways in which school
3 15 districts and schools may incorporate the physical activity
3 16 requirement of this paragraph into the educational program.

3 17 c. Every student by the end of grade twelve shall
3 18 successfully complete a certification course for
3 19 cardiopulmonary resuscitation. The administrator of a school
3 20 may waive this requirement if the student is not physically
3 21 able to successfully complete the training.

3 22 Sec. 5. Section 273.2, Code 2007, is amended by adding the
3 23 following new subsection:

3 24 NEW SUBSECTION. 7. The board of an area education agency
3 25 or a consortium of two or more area education agencies shall
3 26 contract with one or more licensed dietitians for the support
3 27 of nutritional provisions in individual education plans
3 28 developed in accordance with chapter 256B and to provide
3 29 information to support school nutrition coordinators.

3 30 Sec. 6. DEPARTMENT OF EDUCATION == FITNESS WORKING GROUP.
3 31 The department of education shall convene a working group
3 32 comprised of elementary and secondary education and fitness
3 33 professionals and stakeholders to assist the department in
3 34 developing daily physical activity opportunities and
3 35 requirements and developing models that describe ways in which
4 1 school districts and schools may incorporate physical
4 2 activities for students into the educational program as
4 3 provided in section 256.11, subsection 6, paragraph "b", as
4 4 enacted by this Act. The working group shall also develop
4 5 recommendations for a system of implementation that offers
4 6 every student the opportunity to become physically active.
4 7 The department of education shall submit its findings and
4 8 recommendations, including any recommendations for changes in
4 9 policy or statute, in a report to the general assembly by
4 10 January 15, 2009.

4 11 Sec. 7. EFFECTIVE DATE. The section of this Act that
4 12 amends section 256.11, subsection 6, takes effect July 1,
4 13 2009.

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